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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,975	02/27/2004	Jean-Marie Gatto	CYBS5858	9438
22430	7590	03/29/2006	EXAMINER	
YOUNG LAW FIRM, P.C. ALAN W. YOUNG 4370 ALPINE ROAD SUITE 106 PORTOLA VALLEY, CA 94028			SON, LINH L D	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/789,975	Applicant(s) GATTO ET AL.	
	Examiner Linh LD Son	Art Unit 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-79 and 81-97 is/are pending in the application.
- 4a) Of the above claim(s) 26-70 and 91-93 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25, 71-79, 81-90 and 94-97 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/05, 07/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responding to the Amendment received on 12/22/2005.
2. Claims 26-70, and 91-93 are withdrawn. Claim 80 is canceled. Claim 97 is newly added.
3. Claims 1-79, and 81-97 are pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-25, 71-79, 81-90, and 94-97 are rejected under 35 U.S.C. 102(e) as being anticipated by Rabin et al, US Patent No. 6697948B1, hereinafter "Rabin".
6. As per claim 1:

Rabin discloses "A PKI certificate architecture for network connected gaming system, wherein each software component within the gaming system (Col 27 lines 1-14, Col 39

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lines 20-35, and Col 46 lines 56-62) subject to receive certification is uniquely associated with a unique identifier (Table 1, ID(X), ID(SP), and Col 36 lines 30-45) and is signed with a separate and unique PKI certificate, the separate and unique PKI certificate being uniquely identified by the unique identifier" in (Col 28, Table 1, line 30 to Col 30 line 20).

7. As per claim 2:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the each software component is authorized by a regulatory authority" in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

8. As per claim 3:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the distinctive separate and unique PKI certificate is produced by the certification lab, by the gaming system supplier or by the trusted party designated by the regulatory authority" in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

9. As per claim 4:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein each software component is code signed by the a certification lab, by the gaming system

10. As per claim 5:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the separate and unique identifier is a certificate field selected from a "Subject" field, an "issued to" field, a "subject name" field, the a "CommonName" field, a "Provider" field or a "publisher" field" in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

11. As per claim 6:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the unique identifier comprises at least one of fields and field extensions" in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

12. As per claim 7:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the unique Identifier comprises at least one of a plurality of fields selected from among: a software component part number; a software component major version number; a software component minor version number; a software component build number; a software component revision number; a software component project name; a software component type of software component; a software component language variant; a software component game regulation variant; a software component friendly name; an

identification of the certification laboratory, and an identification of the client” in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

13. As per claim 8:

Rabin discloses “A PKI certificate architecture according to claim 7, wherein the unique identifier is a concatenation of selected Identifiers fields” in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

14. As per claim 9:

Rabin discloses “A PKI certificate architecture according to claim 1, wherein at least a portion of the unique identifier is reported in the Windows event log upon execution of the software component” in (Col 59 lines 1-28).

15. As per claim 10:

Rabin discloses “A PKI certificate architecture according to claim 1, wherein at least a portion of the unique identifier is reported in the source held of the Windows event log upon execution of the software component” in (Col 59 lines 1-28).

16. As per claim 11:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein at least a portion of the unique identifier is reported in the Windows event log upon execution of the software component in a predetermined event log bin upon execution of the software component" in (Col 59 lines 1-28).

17. As per claim 12:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein at least a portion of the unique Identifier is traceable in at least one of: source code; Windows File Properties; Trusted Inventory; Windows Event Log; Software Restriction Policies, and Certificate Store" in (Col 59 lines 1-28).

18. As per claim 13-14:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the network connected gaming system is connected in at least one of a local area system and wide area network" in (Col 27 lines 1-14).

19. As per claim 15:

Rabin discloses "A PKI certificate architecture according to claim 1, wherein the unique identifier contains identification information delimited with file-name-allowed

non-alphanumeric characters to facilitate human identification, string searches and file searches” in (Col 32 lines 5-25, and Table 1, Col 28 line 30 to Col 30 line 20).

20. As per claim 16:

Rabin discloses “A PKI certificate architecture according to claim 1, wherein a selected set of identification information making up the identifier are used for making up the file name of PKI certificate related files such as *.CER, *.P7B and *.PVK such as to facilitate human identification, string searches and file searches” in (Col 7 lines 55-65).

21. As per claim 17:

Rabin discloses “A method for a network connected gaming system to prevent unauthorized software components of constituent computers of the gaming system from executing (Col 27 lines 1-14, Col 39 lines 20-35, and Col 46 lines 56-62), comprising “the steps of producing a separate and unique PKI certificate for each software component subject to receiving certification, each software component subject to receiving certification including a unique identifier; code signing each software component subject to receiving certification with its respective separate and unique PKI certificate, each respective PKI certificate being uniquely identified by a unique identifier that is uniquely associated with the software component, and configuring software restriction policy certificate rules to allow execution of only those software components whose code signed PKI certificate is determined to be authorized” in (Col 26 lines 50-

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60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25).

22. As per claim 18:

Rabin discloses "A method according to claim 17, further comprising the step of configuring Software restriction policy rules to prevent execution of unauthorized software components" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25)..

23. As per claim 19:

Rabin discloses "A method according to claim 17, further comprising the step of configuring software restriction policy rules to prevent execution of all not explicitly authorized software components" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25)..

24. As per claim 20:

Rabin discloses "A method for a network connected gaming system to enable only authorized software components of constituent computers of the gaming system to execute, comprising the steps of: configuring a separate for each authorized software component, and enforcing the software restriction policy for each authorized software

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component” in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25).

25. As per claim 21:

Rabin discloses “A method according to claim 20, wherein the authorized software components are mandated by a regulatory body” in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25).

26. As per claim 22:

Rabin discloses “A method for a network connected gaming system to enable only authorized software components of constituent computers of the gaming system to execute, comprising the steps of: configuring a separate and unique certificate software restriction policy for each authorized software component” in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); “configuring a path software restriction policy to prevent unauthorized software components from executing; configuring a path software restriction policy to prevent non-explicitly authorized software components from executing; enforcing the certificate software restriction policies and enforcing the path software restriction policies” in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25).

27. As per claim 23:

Rabin discloses "A method according to claim 22, wherein the authorized software components are mandated by a regulatory body" in (Col 47 line 56 to Col 48 line 33).

28. As per claim 24:

Rabin discloses "A method for a network connected gaming system, to enable only authorized software components of constituent computers of the gaming system to execute, comprising the steps of producing a separate and unique PKI certificate for each software component subject to receive certification, each respective PKI certificate being associated with a unique identifier that is uniquely associated with the software component; signing each software component subject to receive certification with the its respective separate and unique PKI certificate" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); "configuring a certificate software restriction policy for each of the respective separate and unique PKI certificates, and enforcing, the certificate software restriction policy for each of the respective separate and unique PKI certificates" in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25).

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29. As per claim 25:

Rabin discloses "A method for downloading authorized software components and allowing execution of downloaded authorized software components free of constituent computers of a network connected gaming system, comprising the steps of code signing each authorized software component with a separate PKI certificate that is unique to the authorized software component" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); "Packaging the code signed authorized software components into an installation package; configuring install policies to install each code signed authorized software component contained in the installation package; configuring certificate rule policies to allow execution of the installed code signed authorized software component; configuring enforcement of the policies" in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25).

30. As per claims 71-72:

Rabin discloses "A method for a network connected gaming system to prevent unauthorized executable files of constituent computers of the gaming system from executing, comprising the steps of: packaging the authorized executable files into a code signed installation package; configuring certificate rule policies to enable execution of the code signed installation package" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); "enforcing the policies, and executing the code signed installation package upon

every startup of any of the constituent computers (Col 39 line 60 to Col 40 line 15) of the gaming system or upon a command, wherein execution of any authorized executable file is predicated upon successfully executing the code signed installation package into which the authorized executable file is packaged” in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25)

31. As per claims 73-74:

Rabin discloses “A method for a network connected gaming system to prevent unauthorized executable code of constituent computers of the gaming system from executing, comprising the steps of: packaging the authorized executable files into a code signed installation package; configuring certificate rule policies to enable execution of the code signed installation package” in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); “configuring enforcement of the policies, and re-installing the code signed installation package at every computer startup (Col 39 line 60 to Col 40 line 15) of any of the constituent computers of the gaming system or upon a command, wherein execution of any authorized executable file is predicated upon successfully executing the code signed Installation package Into which the authorized executable file is packaged” in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25).

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32. As per claims 75-78:

Rabin discloses "A method for a network connected gaming system to prevent data of unauthorized non-executable files code of constituent computers of the gaming system from affecting game outcome, comprising the steps of: packaging the non-executable files into a code signed installation package" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); "configuring certificate rule policies to enable execution of the code signed installation package; configuring enforcement of the policies, and executing the code signed installation package upon every computer startup of any of the constituent computers of the gaming system or upon a command" in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25).

33. As per claims 79, 82, and 97:

Rabin discloses "A method for scheduling at least one authorized executable software component installed in a network connected gaming system, the gaming system including a Plurality of gaming machines, the method comprising the steps of: packaging at least one authorized non-executable file that control the scheduling of the at least one authorized executable software component into at least one code signed installation package, each of the at least one code signed installation packages a predetermined PKI certificate" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); "configuring certificate rule policies to enable execution of the at least one code signed

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installation package in selected ones of the plurality of gaming machines; and configuring enforcement of the certificate rule policies; and downloading the at least one code signed installation package into is the selected ones of the plurality of earning machines; executing the at least one code signed installation package” in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25)..

34. As per claim 81:

Rabin discloses “A method for scheduling at least one authorized executable software component according to claim 79, further comprising the step of reinstalling the at least one code signed installation package at every startup of any of the constituent gaming machines of the gaming system or upon a command” in (Col 39 line 60 to Col 40 line 15).

35. As per claims 83 and 86-89:

Rabin discloses “An automated platform according to claim, 82, further comprising a secure communication link between the reference platform and the certification lap for enabling manufacturer or designated subcontractors to remotely configure the software building environment on tile certification platform” in (Col 27 lines 30-65).

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36. As per claims 84-85 and 90:

Rabin discloses "An automated platform according to claim 82, wherein the authorized software components to be downloaded to the network connected gaming system is are tested by the certification laboratory" in (Col 27 lines 30-44).

37. As per claim 94:

Rabin discloses "A method for a gaming term machine in a network connected gaming system to generate a list menu of authorized games available to players the method comprising the steps of: generating a separate and unique code signed certificate for a predetermined software module of each authorized game; generating an executable companion file for each authorized game, wherein the executable companion file is configured to execute faster than the authorized game; code signing both the predetermined software module and its executable companion file with the generated PKI certificate" in (Col 26 lines 50-60, Col 27 lines 30-44, Col 28 lines 5-15, Col 28, Table 1, line 30 to Col 30 line 20, and Col 52 line 60 to Col 53 line 25); "enforcing software restriction policy rules for preventing unauthorized software components from executing; enforcing software restriction policy rules for enabling execution of selected ones of the authorized games; attempting to execute each executable companion File; and adding only those games to the menu of authorized games whose executable companion file has not been denied execution by the software restriction policy rules" in (Col 47 line 56 to Col 48 line 33, and Col 52 line 60 to Col 53 line 25).

38. As per claims 95-96:

Rabin discloses "A method according to claim 94 further comprising the step of removing games from the menu of authorized games whose companion file is denied execution by the software restriction policy rules" in (Col 40 line 45 to Col 41 line 18).

Response to Arguments

39. Applicant has amended claims 1, 17, 20, 22, 24-25, 71, 73, 75, 77, 79, 82, and 94, which necessitated new grounds of rejection. See Rejections above.

Conclusion

40. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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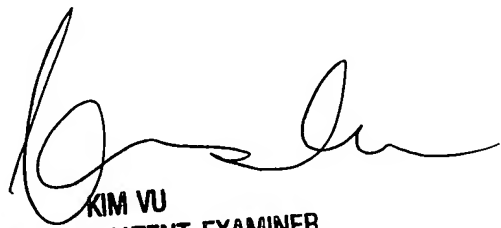
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh LD Son whose telephone number is 571-272-3856. The examiner can normally be reached on 9-6 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son
Examiner
Art Unit 2135



KIM VU
SUPERVISORY PATENT EXAMINER
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